

MAR 31 2004

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Before Final - Official

Practitioner's Docket No.: 791_188

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Toshihiro YOSHIDA, Hiroshi NEMOTO

Ser. No.: 10/087,359

Art Unit: 1745

Filed: March 1, 2002

Examiner: Dah Wei D. Yuan

Confirmation No.: 3319

For: ELECTRODE BODY EVALUATION METHOD AND LITHIUM SECONDARY
CELL USING THE SAME

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**CERTIFICATION OF FACSIMILE
TRANSMISSION**

I hereby certify that this paper is being facsimile
transmitted to the Commissioner for Patents, P.O.
Box 1450, Alexandria, VA 22313-1450 on
March 31, 2004 at (703) 872-9306.

Elizabeth A. VanAntwerp
Elizabeth A. VanAntwerp

**RESPONSE TO RESTRICTION/ELECTION
OF SPECIES REQUIREMENT**

Sir:

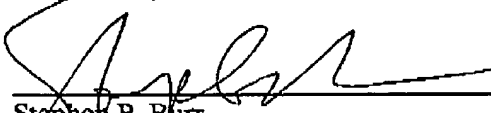
In response to the Office Action mailed March 17, 2004, applicants hereby provisionally elect to prosecute the claims of Group II. Applicants respectfully traverse the restriction requirement, since it is believed that a thorough and complete search for the elected claims would necessarily include a thorough and complete search for prior art relevant to the non-elected claims. Accordingly, it is believed that the PTO could search and examine all claims in this application without undue burden.

With respect to the election of species requirement, applicants hereby elect Species II-
2. Claims 22-28 read on the elected species.

Should the Examiner deem that any further action by the applicants would be desirable in placing this application in better condition for issue, the Examiner is requested to telephone applicants' undersigned representative.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

Respectfully submitted,



Stephen P. Burr
Reg. No. 32,970

March 31, 2004
Date

SPB/eav

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March 31, 2004

To: Examiner Dah Wei D. Yuan Fax No. (703) 872-9306
From: Stephen P. Burr Fax No. (315) 233-8320
Re: In re the Application of: Toshihiro YOSHIDA, Hiroshi NEMOTO
Serial No.: 10/087,359 Art Unit: 1745
Date Filed: March 1, 2002 Conf. No. 3319
Title: ELECTRODE BODY EVALUATION METHOD AND LITHIUM SECONDARY
CELL USING THE SAME
Our Docket No.: 791_188

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COMMENTS:

I hereby certify that the following paper(s) is/are being facsimile transmitted to Examiner Dah Wei D. Yuan at (703) 872-9306 at the Patent and Trademark Office on *March 31, 2004*:

<u>Paper</u>	<u># of Pages</u>
1. Response to Restriction/Election of Species Requirement	<u>2</u>

Total Pages (including cover page) 3

Elizabeth A. VanAntwerp

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